



## Memorandum

To Sally Munk, Senior Environmental Planner

cc.

From Brett Whitworth

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ShoalInTemple-CombertonGrangeNowra

**Subject: Exhibition of Environmental Assessment for Integrated Residential and Tourist Development, Comberton Grange, Nowra (06\_0135)**

Following the request for advice on the Comberton Grange Concept Plan EA made on 23 October 2012, the following comments are offered.

### 1. Property ownership:

The proposal appears to be inconsistent with the recommendation of the South Coast Sensitive Urban Lands Review (p.41) that: 'the land developed for tourism and residential purposes should be retained in one ownership'.

Notably, the Environmental Assessment (EA) states (p.137) that 'the site will be subdivided under the community land legislation of the Community Land Development Act 1989 (NSW)' and that 'the residential component of the land will be divided into individual allotments with each lot owners responsible for the care and maintenance of their homes and lots'.

It is also noted that the EA identifies that the requirement for single ownership is met because the land will be retained in the ownership of the Community Development Corporation formed under the Community Land Development Act. Despite the fact that the "Torrens Title" of the land will be retained in single ownership, there will still be over 300 individual titles generated as part of the community title subdivision of the residential component.

Subdivision of the residential component through a community title scheme undermines the Panel's recommendation that 'development of the land is supported only if it comprises a fully integrated tourist facility with associated residential development, on the grounds of the potential employment benefits to the Shoalhaven'. The tourism development must therefore be able to stand on its own.

The proposed subdivision, and resulting standalone urban development, would also be inconsistent with the action in the South Coast Regional Strategy (p.23) that states that, 'any additional development proposed will need to demonstrate that it can satisfy the Sustainability Criteria'. Although it is noted that the Applicant has attempted to address the Sustainability Criteria as part of the EA (p.243), this is not considered to be adequate, particularly regarding infrastructure provision, access and environmental protection.

It is recommended that if the development is approved then a condition or covenant requiring single ownership be imposed. It is also recommended that this single ownership not be in the form of a Community Development Corporation, as this still sees a multitude of owners, albeit via a different path.

**2. State infrastructure:**

The EA (pp177-183) identifies the need to provide water, sewerage, electricity, communications and gas connections to the site as well a number of traffic management measures at the Forest Road/Princes Highway and Jervis Bay Road/Princes Highway intersections.

There is, however, inadequate assessment of the financial arrangements , including details of contributions with Council and/or Government agencies, for water, sewerage, communications and traffic management , despite this being a specific Director-General's requirement. This has potentially significant financial implications, particularly for Council regarding connection to water and sewerage and to RMS for traffic management measures.

It is recommended that the Applicant provide further details regarding financial arrangements for provision of infrastructure and services for the development. Alternatively, the Statement of Commitments should recognise the need to enter into arrangements (eg VPAs) for the funding or delivery of these services.

**3. Land dedication:**

The EA states (p.232) that it is not the intention of the Shaolin Foundation to dedicate the eastern portion of the site (east of the quarry and including the SEPP 14 wetlands in the southern corner of the site) to be added to the Jervis Bay National Park'. Rather the EA states that these portions of land will be preserved as environmentally sensitive area with no development undertaken on the land except for minor recreational trails and structures (eg rest shelters). This proposal is, however, inconsistent with the South Coast Sensitive Urban Lands Review which recommends (p.41) that this area should be added to the Jervis Bay National Park on the grounds of its high conservation value.

This matter is also likely to raise concern with the Office of Environment and Heritage & National Parks and Wildlife Service.

This is a matter that needs to be raised with the applicant as the level of development supported by the Panel reflected the public benefit to be gained from the land dedication.

Please contact George Curtis, Senior Planner on telephone number 4224 9465 if you would like to discuss this matter further.



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